

REMARKS

Reconsideration of this application is respectfully requested. Claims 1, 5 and 7 are pending in this application. By this Amendment, claim 5 has been amended and claims 2-4 and 6 have been canceled without prejudice. It is respectfully submitted that no new matter has been added.

Claim 5 has been amended to reconcile it with the preamble of independent claim 1 where it is recited the second communication device is a "facsimile communication device."

I. 35 USC § 102 CLAIM REJECTION

Claims 1-7 stand rejected under 35 USC §102(b) as being anticipated by U.S. Patent No. 5,982,506 to Kara (the "Kara patent").

As previously mentioned, claims 2-4 and 6 have been cancelled without prejudice, thus removal of this rejection to these claims is now moot.

With respect to the present invention, independent claim 1 recites a "method of authenticating information communicated between a first facsimile communication device and a second facsimile communication device. . . ."

With regards to the Kara patent, the examiner states it also relates to a facsimile machine by making reference to it's background at Col. 1, lines 5-20. However, a proper reading of this section, and the overall teaching of the '506 patent, reveals that mention of a facsimile device is only provided as a historical reference to how the electronic transfer of documents evolved, starting with facsimile devices. After this background recital, the Kara patent never again mentions facsimile devices and actually specifically teaches of using personal computers (PC's) for implementing its inventive document certification system and method. See figs. 1 and 2 of the Kara patent depicting the preferred and alternative embodiments for performing document certification using at least a recipient and sender's PC (10 and 20) as does the entire specification of the Kara patent.

Further, expanding the scope of the Kara patent beyond PC's to that of facsimile devices would actually destroy the teachings of the Kara patent, as will now be explained. The Kara patent teaches a system and method for generating a "certification indicia" either in an secure PC 30 or a receiver's PC 20. This certification indicia embeds "the checksum of the encrypted electronic document, date and time of receipt by the recipient, number of pages in the document, identification of the recipient, and identification of the sender. This indicia is then transmitted to the sender for proof of certified transmission of an electronic document." (See. Col. 5, lines 15-22 of the Kara patent). And as shown in figures 6A to 6C of the Kara patent, this "certified indicia" is actually evidence of postage to be applied by the user of the sender's PC (10) to preferably a mailpiece via a coupled external printer. Preferably, the "certified indicia" is what is known as a security packet (i.e., postage), and is actually transmitted back to the sender's PC (10) so as to be reproduced in a machine readable bar code format, like what is depicted in Figs. 6A to 6C. Hence, this "certified indicia" can then be applied to documents (i.e., mailpieces) so as to be later verified by the proper verifying equipment (i.e., postal bar code readers). See Col. 25, line 63 to Col. 26, line 67 of the Kara patent.

Thus the present invention method of authenticating information between facsimile devices is certainly not disclosed, suggested nor taught by the Kara patent because expanding Kara to teach of facsimile devices would clearly destroy its teachings. Simply put, there is no reason why a facsimile device would be used to generate indicia to be applied to another document, such as a mailpiece. It is not even known to the assignee of the present invention (e.g., Pitney Bowes Inc.) who is a leader in the postal industry how one skilled in the art would apply the certified indicia generated by a facsimile device to a such another mailpiece. This clearly demonstrates why the Kara patent only relates to PC's coupled to external printers in all its disclosed embodiments.

Applicant also acknowledges the Merriam-Websters Collegiate Dictionary (10th ed) definition for "facsimile" (as set forth by the Examiner) and states while it

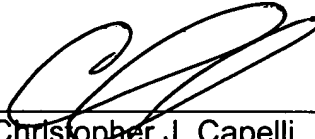
may be conceptual correct, it is also the broadest possible definition for "facsimile", which definition is certainly out of context when applied to the present claimed invention.

Accordingly, independent claim 1, along with its depending claims (namely, 5 and 7) patentably distinguish from the Kara patent and it is respectfully submitted removal of this rejection is warranted.

III. CONCLUSION

In view of the foregoing amendments and remarks, it is respectfully submitted that pending claims 1, 5 and 7 are now in a condition for allowance and favorable action thereon is requested. If the Examiner should have any questions, he is kindly urged to contact the undersigned attorney.

Respectfully submitted,



Christopher J. Capelli
Reg. No. 38,405
Attorney for Applicants
Telephone (203) 924-3849

PITNEY BOWES INC.
Intellectual Property and
Technology Law Department
35 Waterview Drive
P.O. Box 3000
Shelton, CT 06484-8000